

07.12.2023

15
sdas
Allowed

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M. (A) No. 958 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mathabhanga Police Station Case No. 562 of 2023 dated 25.10.2023 under Sections 143/341/323/325/326 /307/ 506/ 34 of the Indian Penal Code.

And

In Re : Sachin Basuniya @ Prasenjit Basunia & Ors. petitioners

Mr. Subhasish Misra
Mr. Swarup Das
Mr. Satyajit Paul

.....for the petitioners

Mr. Kallol Acharjee
Mr. Tapan Bhattacharjee

....for the State

1. Learned Counsel for the petitioners submits there is a property dispute between the parties. They have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. There is a pre-existing civil dispute between the parties. Injuries noted in the injury report do not appear to be grievous or life threatening. Hence, we are inclined to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)